

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ASHLEY TITUS,

Plaintiff,

vs.

MICHAEL UNGER and  
STANTON COUNTY, NEBRASKA,

Defendants.

8:12CV261

ORDER

This matter is before the court on the plaintiff's, Ashely Titus (Titus), Application to Proceed in District Court Without Prepaying Fees or Costs (Application) (Filing No. 82). Titus represents she is unemployed, has no money in checking or savings, has monthly expenses of \$725, and owes \$34,634.64 in medical bills and \$5000 in student loans. **See** Filing No. 82 - Application.

Federal Rules of Appellate Procedure Rule 24(a)(1), which applies to Titus' application to appeal in forma pauperis, provides:

(1) **Motion in the District Court.** Except as stated in Rule 24(a)(3), a party to a district-court action who desires to appeal in forma pauperis must file a motion in the district court. The party must attach an affidavit that:

- (A) shows in the detail prescribed by Form 4 of the Appendix of Forms the party's inability to pay or to give security for fees and costs;
- (B) claims an entitlement to redress; and
- (C) states the issues that the party intends to present on appeal.

Fed. R. App. P. 24(a)(1). Titus' Application only provides information related to her financial status and does not address Fed. R. App. P. 24(a)(1)(B) or (C). Therefore, at this time, the court will not grant Titus leave to appeal in forma pauperis. If Titus desires to appeal in forma pauperis, she may file the appropriate motion with Form 4 of the Appendix of Forms attached. Titus can obtain Form 4 at the following location:

<http://www.uscourts.gov/RulesAndPolicies/rules/current-rules/apellate-rules-forms.aspx>.

**IT IS ORDERED:**

Titus' Application to Proceed in District Court Without Prepaying Fees or Costs (Filing No. 82) is denied, without prejudice.

Dated this 10th day of December, 2013.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge